

REMARKS

The Office Action mailed December 31, 2003, has been reviewed and the Examiner's comments have been carefully considered. Claims 1, 2, 7, 10, 16, and 20 have been amended. In view of the foregoing amendments and the reasons that follow, claims 1-20 are pending and are submitted for reconsideration.

Specification Objections

Claim 7 is objected to for an informality and has been amended accordingly. Specifically, the semicolon at the end of claim 7 has been replaced with a period. Reconsideration and withdrawal of the objection to claim 7 are respectfully requested.

35 U.S.C. § 112 Rejections

Claims 1-3 and 16 are rejected under 35 U.S.C. § 112, second paragraph as indefinite. Claims 1, 2, and 16 have been amended in view of the Examiner's comments. Specifically, claim 1 has been amended to clarify that the projection is configured to move axially within "the other of the receiving member or bottle." Claim 2 has been amended to provide sufficient antecedent basis for "the other of the receiving member and the bottle." Specifically, line 5 of claim 2 recites "one of the receiving member and the bottle," and lines 7-8 recite "the other of the receiving member and the bottle." Claim 16 has been amended to delete "first mentioned." Reconsideration and withdrawal of the rejection of claims 1-3 and 16 are respectfully requested.

35 U.S.C. § 102 Rejections

Claims 1, 3, 10, 12-14, and 20 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,568,663 (Brown). Independent claims 1, 10, and 20 have been amended. Support for the amendment is found in the specification at paragraph [0032]. The rejection should be withdrawn for at least the following reasons.

Brown cannot anticipate claims 1, 10, and 20 because Brown does not teach or suggest every element set forth in claims 1, 10, and 20. For example, Brown does not teach or suggest a projection that "extend[s] only partially around a periphery" of the receiving

member or the bottle, as recited in claims 1, 10, and 20. In contrast, a gas bottle 34 of Brown is threaded so that the bottle 34 can be “simply screwed into the internally threaded cylindrical stem 26” of an air intake valve 24. (Brown at col. 4, lines 35-40.) Thus, the projections of Brown comprise screw threads that extend along an entire periphery of the bottle 34. (Brown at Fig. 6.) Brown cannot anticipate the claimed invention because the projections of Brown extend along the entire periphery of the bottle 34 and not only partially around the periphery as required by claims 1, 10, and 20. Reconsideration and withdrawal of the rejection of claims 1, 10, and 20 are respectfully requested.

Claims 3 and 12-14 depend from claims 1 and 10, respectively, and are allowable therewith without regard to further patentable limitations contained therein. Thus, reconsideration and withdrawal of the rejection of claims 3 and 12-14 are respectfully requested.

35 U.S.C. § 103 Rejections

Claims 2, 4, 5, 11, and 15-19 are rejected under 35 U.S.C. § 103(a) as unpatentable over Brown in view of U.S. Patent No. 6,439,924 (Kooiman). The rejection should be withdrawn because Kooiman is not prior art. Kooiman was filed October 11, 2001, and issued August 27, 2002. The present application claims priority to Japanese Application No. 2001-171276, filed June 6, 2001. Thus, the effective filing date of the present application (June 6, 2001) is earlier than the reference date of Kooiman (October 11, 2001). An English translation of the priority application was included with the Amendment filed November 12, 2003. Thus, the requirements of 37 C.F.R. § 1.55 have been met and withdrawal of the rejection is appropriate.

Final Office Action

Applicants submit that the issuance of a final Office Action is improper. Specifically, the previous Office Action (mailed August 14, 2003) rejected claims 2, 4, 5, 11, and 15-19 under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,544,062 (Loveless). In the Amendment filed November 12, 2003, Applicants successfully traversed the rejection by establishing that Loveless is not prior art. The pending Office Action includes another rejection under 35 U.S.C. § 103(a) based on newly cited art (Kooiman). The new rejection,

however, was necessitated by the erroneous assertion of Loveless as prior art in the previous Office Action, not by Applicants' amendment of the claims. Thus, the Office Action cannot be made final. M.P.E.P. § 706.07(a). Applicants respectfully request withdrawal of the finality of the pending Office Action.

Allowable Subject Matter

Applicants acknowledge with appreciation the allowance of claims 6-9.

Conclusion

In view of the foregoing amendments and remarks, Applicants believe the application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. If there are any questions regarding the prosecution of this application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

Date 3/17/04

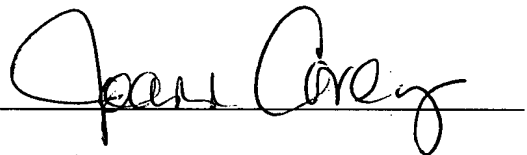
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